



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,073	07/10/2003	Kevin L. Bostrom	LUC-413/Bostrom 3-4-2-8	3347
32205	7590	04/19/2006	EXAMINER	
CARMEN B. PATTI & ASSOCIATES, LLC ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			ZEWDU, MELESS NMN	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/617,073	BOSTROM ET AL.	
	Examiner	Art Unit	
	Meless N. Zewdu	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This action is the first on the merit of the instant application.
2. Claims 1-20 are pending in this action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 and 13-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Teckchandani et al. (Teckchandani) (US 6,816,090 B2).

As per claim 1: Teckchandani discloses a method implemented by remote control device for remotely controlling functions and provide status information (see col. 6, lines 17-35) comprising:

storing a predetermined text based commands (see col. 11, lines 6-26);

receiving a control message transmitted over a wireless communication channel (see col. 6, lines 32-45; col. 7, lines 5-21; col. 13, lines 23-24);

parsing the control message to identify a first text based command (see col. 11, lines 5-26; col. 13, lines 23-26). The prior art provides text, key-entry and voice based commands in the alternative. Furthermore, proper validation, as described in the prior art, requires parsing, identifying and comparing.

comparing said first text based command with said stored predetermined text based commands to determine if the first text based command is a valid command (see col. 11, lines 5-26; col. 13, lines 23-26). Proper validation requires parsing, identifying and comparing.

executing a predetermined control action corresponding to said first text based command if the later is determined to be a valid command (see col. 5, lines 9-22, lines 50-55; col. 7, lines 5-21).

As per claim 2: Teckchandani discloses a method, wherein the step of executing a predetermined control action comprises generating a control signal and transmitting the control signal to a first function controllable by the control signal (see col. 7, lines 5-21; col. 9, lines 7-23; col. 11, lines 19-26). First function is an arbitrary designation. Any first function performed by the prior art's security system can be called/designated as a first function.

As per claim 3: Teckchandani discloses a method wherein the step of executing a predetermined action comprises generating a request for information signal (see col. 6, lines 32-45), transmitting the request for information signal to an apparatus external to the remote control device (see col. 5, lines 9-17, lines 26-32; col. 9, lines 7-23), receiving first status information from the apparatus in response to said request for

Art Unit: 2617

information signal (see col. 12, lines 25-41; col. 13, lines 20-26), and transmitting a reply message containing the first status information in the text based format to an address from which the control message was received (see col. 13, lines 20-26).

As per claim 4: Teckchandani discloses a method wherein the step of receiving a control message comprises receiving a short message system message received over a cellular wireless communication channel (see col. col. 6, lines 32-45; col. 10, lines 53-64).

As per claim 5: Teckchandani discloses a method, wherein the received control message includes a first text based command and an associated first parameter wherein the first parameter defines a numeric value that is utilized in determining the control to be executed (see col. 14, lines 12-20). Since, control signal/command is executed, a parameter defining a numerical value must be inherent to the prior art system.

As per claim 6: Teckchandani discloses a method, further comprising the step of connecting the remote control device to electronic control means in a vehicle, at least a group of said predetermined text based commands having a corresponding control action associated with an operable function of the vehicle (see fig. 3; col. 7, lines 5-30).

As per claim 7: Tekchandani discloses a method, wherein the remote control device includes a means for generating location coordinates, the step of executing a predetermined control action comprising generating a request for location signal, transmitting the request for location signal to the means for generating location coordinates, receiving first location information from said means in response to said

Art Unit: 2617

request, and transmitting a reply message containing the first location information in text based format to an address from which the control message was received (see fig.1; col. 8, lines 21-44; col. 13, lines3-22; col. 14, lines5-20).

As per claim 8: Teckchandani discloses a method, further comprising the steps of storing authentication information associated with at least one of a first user and a first user's wireless communication device, and utilizing said at least one to determine whether the received control message is valid (see col. 7, lines 5-15; col. 11, lines 16-26).

As per claim 13: the features of claim 13 are similar to the features of claim 1, except transmitting a text based control message addressed to the remote control device from a cellular telephone, which is disclosed by Teckchandani (see fig. 1, elements 105 and 103; col. 7, lines 5-21; col. 11, lines 6-24). Hence, claim 13 is rejected on the same ground as claim 1.

As per claim 14: Tekchandani discloses a method, wherein the step of transmitting the control message comprises transmitting a short messaging format message by the cellular telephone, and wherein the step of executing a predetermined control action comprises generating a control signal and transmitting the control signal from the remote control device to an apparatus having a first function controllable by the control signal (see col. 6, lines 19-51).

As per claim 15: Teckchandani discloses a method, wherein the step of executing a predetermined control action comprises generating a request for information signal, transmitting the request for information signal to an apparatus external to the remote

Art Unit: 2617

control device, receiving first status information from the apparatus in response to said request for information signal, and transmitting a reply message containing the first status information in text based format to the cellular telephone based on an address of the cellular telephone received with the control message (see col. 6, lines 17-51).

As per claim 16: Teckchandani discloses a method, wherein the received control message includes a first text based command and an associated first parameter where the first parameter defines a numeric value that is utilized in determining the control action to be executed (see col. 6, lines 17-51; col. 11, lines 6-24, lines 44-50). Speed limit and geo-fence crossing are parameters that inherently include numeric values.

As per claim 17: the feature of claim 17 is similar to the feature of claim 1. Hence, claim 17 is rejected on the same ground as claim 1.

As per claim 18: the features of claim 18 are similar to the features of claim 7. Hence, claim 18 is rejected on the same ground as claim 7.

As per claim 19: the feature of claim 19 is similar to the feature of claim 8. Hence, claim 19 is rejected on the same ground as claim 8.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 and 10-12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teckchandani over Muramatsu (US 2003/0193390 A1). Claim 10 is considered first for examination purpose.

As per claim 10: with regard to claim 10, Teckchandani discloses that a remote control device (vehicle security system) (fig. 1, element 103) can receive a control command message from a cellular telephone (fig. 1, element 107), wherein the command message includes a choice of text message (which inherently includes a screen/display) and the location (address) of the vehicle is determined by a GPS device (see col. 5, lines 36-44); storing a list of predetermined text based commands (see col. 11, lines 6-26, lines 44-50). But, Teckchandani does not explicitly teach about selecting one of the displayed commands, as claimed by applicant. However, in a related field of endeavor, Flick teaches a "remote control system using a cellular telephone and associated method", wherein a cellular telephone includes an input device and transmitter for transmitting signals relating to a command (one selected command) code from the input device (see abstract, lines 1-10). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Teckchandani with that of Flick for the advantage of avoiding the cost associated with transmitting via base stations (see col. 1, lines 50-59).

As per claim 9: Flick teaches a method, wherein the authentication information associated with the first user's wireless communication device comprises an electronic serial number of said device (see col. 6, lines 38-48).

As per claim 11: most of the features of claim 11 are similar to the features of claim 10, and hence rejected on the same ground and motivation as claim 10, except the user selecting one of the displayed addresses, the one address being used as the address of the remote control device contained in the control message, which is taught by Teckchandani (see col. 11, lines 6-24). In Teckchandani, commands stored (hence predetermined) and can be sent to the remote control in the form of text message, which would have to be displayed. Selection of address to a specific device in the remote control is obvious from the plurality of commands stored corresponding to a desired action to be taken.

As per claim 12: Teckchandani teaches a method, wherein the step of storing further comprises storing a range of values of a parameter associated with a first command where the range of values of the parameter further defined actions associated with an implementation of the first command, displaying said range of values of the parameter on the screen of the cellular telephone following the selection of the associated first command, receiving a further input from the user selecting one value of said displayed range of values, including said one value with the selected command in the text based control message (see col. 11, lines 44-50). Teckchandani's speed limits and geo-fence can be considered as being values having some range. Other features of claim 11

Art Unit: 2617

(directed to display, command selection, user input, action corresponding to a command) are as provided in claims 10 and 11, above.

As per claim 20: the feature of claim 20 is similar to the feature of claim 9. Hence, claim 20 is rejected on the same ground as claim 9.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold, Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2617

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Meless Zewdu

Examiner

12 April 2006.

Zewdu, Meless 4-12-06